

## **Department of Planning and Budget 2018 Fiscal Impact Statement**

**1. Bill Number:** HB366

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Rush

**3. Committee:** Militia, Police and Public Safety

**4. Title:** Felons; restoration of firearms rights, report to State Police.

**5. Summary:** Provides a mechanism for reporting to the Department of State Police when a circuit court restores a felon's right to possess, transport, and carry a firearm, ammunition for a firearm, or a stun weapon. The bill provides that if a court enters an order restoring a felon's right, the order shall contain the felon's name and date of birth and the clerk of the court shall certify and forward the restoration order to the Central Criminal Records Exchange (CCRE). The bill provides that the Department of State Police, upon receipt of the restoration order, shall enter the felon's name and description in the CCRE so that law-enforcement personnel accessing the CCRE will be aware of the order's existence.

**6. Budget Amendment Necessary:** Yes. Item 419 of budget bill (HB30 and SB30).

**7. Fiscal Impact Estimates:** Preliminary. See Item 8.

**8. Fiscal Implications:** The Virginia State Police (VSP) estimate a one-time information technology impact of \$95,720 in order to comply with the provisions of this legislation. This will allow the agency to modify the Computerized Criminal History (CCH) system to add the functionality of including restoration of firearms rights information on criminal records, and including data relating to the name of the court that has granted restoration rights, and the date of the court order. The CCH is a system that tracks all criminal cases and dispositions, and keeps the official record for the criminal data in the Commonwealth. However, in the introduced budget (HB30/SB30), the agency was provided authorization and nongeneral fund appropriation of \$4.1 million to update its CCH system. It is believed the modification required under this legislation could be a part of this update. However, assuming the effective date of this legislation is July 1, 2018, the agency will need a one-time funding of \$95,720 to immediately update the CCH and process restoration orders. The agency anticipates an average of 120 new cases that would need to be processed per month under this legislation. In order to manage the additional volume, the agency believes it will need one full time position to receive court orders, run criminal histories, and determine whether felony convictions exist in other states that would prohibit restoration, conduct follow-up research, and enter the restoration information into the criminal record system. The estimated ongoing cost for this position is \$69,096.

**9. Specific Agency or Political Subdivisions Affected:** Department of State Police, Courts

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.